

Remarks

Claims 1-18 are pending.

Claims 1-6, 9-11 and 13-18 are rejected under 35 USC 102(e) as being anticipated by US Patent Application No. 2005/0161678.

Applicants respectfully traverse the rejections.

Enclosed is a Declaration filed under 37 CFR 1.132 signed by Hilmar Wienart stating that he invented the subject matter disclosed but not claimed in U.S. Pub. Pat. Appl. No. 2005/0161678 related to plane parallel structures of SiO_y wherein $1 \leq y \leq 1.8$, SiO_2 flakes having "a high plane-parallelism" and various uses thereof, in particular the material of paragraph 62 of the US Published application relied on by the Examiner the present rejections.

Also enclosed is a Declaration filed under 37 CFR 1.132 signed by Patrice Bujard stating that he invented the subject matter disclosed but not claimed in U.S. Pub. Pat. Appl. No. 2005/0161678 related to plane parallel structures of SiO_y wherein $1 \leq y \leq 1.8$, SiO_2 flakes having "a high plane-parallelism" and various uses thereof, in particular the material of paragraphs 75, 126 and 147-162 of the US Published application relied on by the Examiner for the present rejections.

Hilmar Wienart and Patrice Bujard are co-inventors of the instant invention and the invention of U.S. Pub. Pat. Appl. No. 2005/0161678. Together, the two Declarations establish that co-inventors of the instant application are also inventors of the matter disclosed but not claimed in U.S. Pub. Pat. Appl. No. 2005/0161678 relied on by the Examiner, and thus the invention disclosed in the cited art is not by another.

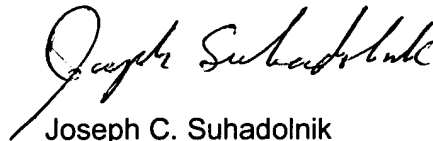
Applicants respectfully submit that the rejections of claims 1-6, 9-11 and 13-18 under 35 USC 102(e) are addressed and are overcome and kindly ask that the rejections be withdrawn.

Claims 7 and 8 are objected to as being dependent on a rejected base claim. Applicants respectfully submit that in light of the enclosed Declarations and the discussions above that the base claim is allowable and that the objections are therefore overcome and kindly ask that the objections be withdrawn.

As claim 12 was already deemed allowable and there are no other rejections or objections, Applicants respectfully request that all objections and rejections be withdrawn and kindly ask that claims 1-18 be found allowable.

In the event that minor amendments will further prosecution, Applicants request that the examiner contact the undersigned representative.

Respectfully submitted,



Joseph C. Suhadolnik
Agent for Applicants
Reg. No. 56,880
filed under 37 CFR 1.34(a)

Ciba Specialty Chemicals Corporation
Patent Department
540 White Plains Road
P.O. Box 2005
Tarrytown, NY 10591-9005
Tel. (914) 785-2973
Fax (914) 785-7102

Enclosures: Declaration under 132 of Hilmar Wienart
Declaration under 132 of Patrice Bujard